

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RUSS GORDON and CATHY
STACKPOOLE

Civil Action No. 23-12812

Plaintiff,
v.

David M. Lawson
United States District Judge

THE CITY OF HAMTRAMCK,
THE HAMTRAMCK CITY COUNCIL,
and MAYOR AMER GHALIB,

David R. Grand
United States Magistrate Judge

Defendants.

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ORDER ON PLAINTIFFS' MOTIONS TO COMPEL (ECF Nos. 27, 28)

Plaintiffs Russ Gordon and Cathy Stackpoole (collectively, “Plaintiffs”) challenge “the enactment of an [allegedly] unconstitutional Resolution by the City of Hamtramck, the Hamtramck City Council, and its Mayor,” Amer Ghalib (collectively, “Defendants”). (ECF No. 5, PageID.235). “The Resolution rescinded a prior City resolution which had allowed for the display of the Pride flag from a flagpole on Joseph Campau Ave.” (*Id.*). Plaintiffs contend that the “Resolution violates the Freedom of Speech and Establishment Clause provisions of the First Amendment, as well as the Equal Protection Clause of the Fourteenth Amendment.” (*Id.*). Plaintiffs specifically allege that “evidence indicates that a primary motivating factor in the Council’s passage of Resolution 2023-82 was in order to accommodate the religious beliefs of a segment of the Hamtramck community which objected to displaying the Pride flag based on religion.” (*Id.*, PageID.246). Plaintiffs also assert various state law claims related to the Resolution’s enactment. (*Id.*, PageID.251-

56).

The case has been proceeding through discovery, and Plaintiffs recently filed two motions that are before the Court: (1) to compel the deposition of defendants Mayor Ghalib and members of the Hamtramck City Council; and (2) to compel responses to Plaintiffs' second set of discovery requests. (ECF Nos. 27, 28).¹ On May 29, 2024, the Court held oral argument on these motions. For the detailed reasons stated on the record, **IT IS ORDERED** that Plaintiffs' motions to compel (**ECF Nos. 27, 28**) are **GRANTED**. The parties and their counsel shall work cooperatively so that the depositions may be completed by July 15, 2024, and Plaintiffs' counsel shall take the depositions in the manner described by the Court. Defendants shall provide the supplemental discovery responses to Plaintiffs' second set of discovery requests as directed by the Court by June 12, 2024.

IT IS SO ORDERED.

Dated: May 30, 2024
Ann Arbor, Michigan

s/David R. Grand
DAVID R. GRAND
United States Magistrate Judge

NOTICE TO THE PARTIES REGARDING OBJECTIONS

The parties' attention is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of receipt of a copy of this order within which to file objections for consideration by the district judge under 28 U.S. C. §636(b)(1).

¹ Both motions were referred to the undersigned for hearing and determination pursuant to 28 U.S.C. § 636(b)(1)(A).

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on May 30, 2024.

s/Eddrey O. Butts
EDDREY O. BUTTS
Case Manager